

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DAVID SARGENT

No. 22 CR 15

Judge Manish S. Shah

NOTICE OF APPEAL

Notice is hereby given that the UNITED STATES OF AMERICA appeals to the United States Court of Appeals for the Seventh Circuit from this Court's order dated December 20, 2023, granting defendant David Sargent's post-trial motions for acquittal and for a new trial and entering a judgment of acquittal as to defendant, entered on the docket on December 20, 2023.

Respectfully submitted,

MORRIS PASQUAL
Acting United States Attorney

/s/ Vikas Didwania

MATTHEW GETTER

VIKAS DIDWANIA

Assistant U.S. Attorneys

219 South Dearborn St., Rm. 500

Chicago, Illinois 60604

(312) 353-5300

Date: January 17, 2024

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorneys hereby certify that in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (“ECF”), the government’s Notice of Appeal was served, pursuant to the district court’s ECF system, to opposing counsel of record.

By: /s/ Vikas Didwania
MATTHEW GETTER
VIKAS DIDWANIA
Assistant U.S. Attorney
219 South Dearborn St., Rm. 500
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Date: January 17, 2024

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DAVID SARGENT

No. 22 CR 15

Judge Manish S. Shah

DOCKETING STATEMENT

The UNITED STATES OF AMERICA, pursuant to Circuit Rule 3(c), hereby submits the following Docketing Statement contemporaneous with the filing of its Notice of Appeal in the above-captioned case.

Defendant David Sargent was charged by indictment with one count of conspiracy to commit securities fraud, in violation of 18 U.S.C. § 371 (Count One); three counts of securities fraud, in violation of 15 U.S.C. §§ 78j(b) and 78ff(a) (Counts Two through Four); and three counts of securities fraud, in violation of 18 U.S.C. § 1348(1) (Counts Five through Seven). R. 1.¹ A jury convicted Sargent of Counts Two through Seven and acquitted Sargent of Count One. R. 78. On December 20, 2023, this Court granted Sargent's post-trial motions for acquittal and for a new trial and entered a judgment of acquittal. R. 111; R. 112.

¹ Citations to the Original Electronic Record on Appeal are designated as "R." followed by the document number.

The United States has timely filed its Notice of Appeal on January 17, 2024, within 30 days after entry of the order granting Sargent's post-trial motions for acquittal and for a new trial and entering a judgment of acquittal. The order and judgment being appealed were entered on this Court's docket on December 20, 2023. R. 111; R. 112.

The district court had jurisdiction pursuant to 18 U.S.C. § 3231. Jurisdiction in the Court of Appeals is provided by 18 U.S.C. § 3731 and 28 U.S.C. § 1291.

Respectfully submitted,

MORRIS PASQUAL
Acting United States Attorney

/s/ Vikas Didwania
MATTHEW GETTER
VIKAS DIDWANIA
Assistant U.S. Attorney
219 South Dearborn St., Rm. 500
Chicago, Illinois 60604
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Date: January 17, 2024

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorneys hereby certify that in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (“ECF”), the government’s Docketing Statement was served, pursuant to the district court’s ECF system, to opposing counsel of record.

By: /s/ Vikas Didwania
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Date: January 17, 2024

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

USA,

Plaintiff,

v.

DAVID SARGENT,

Defendant.

No. 22 CR 15 (2)

Judge Manish S. Shah

ORDER

(00:15)

For the reasons stated in open court, Defendant's post-trial motions for acquittal or new trial [101] are granted. Enter Judgment of Acquittal as to defendant Sargent. The Order Setting Conditions of Release [24] is vacated.

ENTER:

December 20, 2023



Manish S. Shah
U.S. District Judge

UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

ILLINOIS

UNITED STATES OF AMERICA

V.

David Sargent

JUDGMENT OF ACQUITTAL

CASE NUMBER: 22 CR 15 (2)

The defendant's motion for judgment of acquittal or new trial is granted. IT IS ORDERED that the Defendant is acquitted, discharged, and any bond exonerated. Defendant's order setting conditions of release is vacated.



Signature of Judge

Manish S. Shah, U.S. District Judge

Name of Judge

Title of Judge

December 19, 2023

Date

United States District Court
Northern District of Illinois - CM/ECF NextGen 1.7.1.1 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:22-cr-00015-2
Internal Use Only

Case title: USA v. Klundt et al

Date Filed: 01/10/2022

Date Terminated: 12/20/2023

Assigned to: Honorable Manish S. Shah

Defendant (2)

David Sargent

TERMINATED: 12/20/2023

represented by **Christopher T Grohman**
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ATTORNEY TO BE NOTICED
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ATTORNEY TO BE NOTICED

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

CONSPIRACY TO DEFRAUD THE
UNITED STATES

(1)

MANIPULATIVE AND DECEPTIVE
DEVICES

(2-4)

SECURITIES FRAUD

(5-7)

Disposition

Disposition

Acquitted.

Acquitted.

Acquitted.

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition**Plaintiff**

USA

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Date Filed	#	Docket Text
01/10/2022	<u>1</u>	INDICTMENT as to Christopher Klundt (1) count(s) 1, 2-4, 5-7, David Sargent (2) count(s) 1, 2-4, 5-7. (ph,) (Entered: 01/11/2022)
01/10/2022	 <u>2</u>	(Court only) UNREDACTED (SEALED) INDICTMENT as to defendant Christopher Klundt, David Sargent. (ph,) (Entered: 01/11/2022)


01/10/2022	<u>3</u>	DESIGNATION Sheet: FELONY (Category 3). (ph,) (Main Document 3 replaced on 1/27/2022) (jn,). (Entered: 01/11/2022)
01/10/2022	<u>4</u>	MINUTE entry before the Honorable Sheila M. Finnegan: THE GOVERNMENT WILL DETERMINE BOND AT ARRAIGNMENT AS TO BOTH DEFENDANTS. Mailed notice (ph,) (Entered: 01/11/2022)
01/11/2022	 <u>5</u>	NOTICE of Arraignment as to Christopher Klundt, David Sargent before Honorable Manish S. Shah on 1/18/2022 at 01:30 PM. (ph,) (Entered: 01/11/2022)
01/11/2022	<u>6</u>	ATTORNEY Appearance for USA by Vikas Kumar Didwania (Didwania, Vikas) (Entered: 01/11/2022)
01/11/2022	<u>7</u>	ATTORNEY Appearance for defendant David Sargent by James L. Kopecky (Kopecky, James) (Entered: 01/11/2022)
01/13/2022	<u>8</u>	PRETRIAL Bail Report as to David Sargent (SEALED) (tm,) (Entered: 01/13/2022)
01/18/2022	<u>12</u>	MINUTE entry before the Honorable Manish S. Shah: as to David Sargent. Arraignment is reset to 1/31/2022 at 10:30 a.m. via telephone. Members of the public, media, and parties to the case may listen/participate in these proceedings by dialing 1-888-204-5984 and using access code 9146677. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Notices mailed. (psm,) (Entered: 01/18/2022)
01/26/2022	<u>17</u>	MOTION by David Sargent to substitute attorney as to Christopher Klundt, David Sargent <i>Defendant David Sargent's Motion for Substitution of Attorney</i> (Grohman, Christopher) Modified on 5/25/2022 (psm,). (Entered: 01/26/2022)
01/26/2022	<u>18</u>	ATTORNEY Appearance for defendant Christopher Klundt, David Sargent by Christopher T Grohman <i>Appearance on behalf of David Sargent</i> (Grohman, Christopher) (Entered: 01/26/2022)
01/26/2022	<u>19</u>	ATTORNEY Appearance for defendant Christopher Klundt, David Sargent by Peter E. Deegan <i>Appearance on behalf of David Sargent</i> (Deegan, Peter) (Entered: 01/26/2022)
01/26/2022	<u>20</u>	ATTORNEY Appearance for defendant Christopher Klundt, David Sargent by Anne Louise Yonover <i>Appearance on behalf of David Sargent</i> (Yonover, Anne) (Entered: 01/26/2022)
01/27/2022	<u>21</u>	NOTICE of Correction regarding designation form <u>3</u> as to Christopher Klundt, David Sargent (jn,) (Entered: 01/27/2022)
01/31/2022	<u>22</u>	ORDER as to David Sargent: Arraignment proceedings held. Defendant consents to proceed via telephone. Defendant's motion for substitution of attorney <u>17</u> is granted. Attorney James Kopecky's appearance on behalf of the defendant is withdrawn. Defendant acknowledges receipt of the indictment and waives formal reading. Defendant enters a plea of not guilty to the charges in the Indictment. The parties are advised, under Federal Rule of Criminal Procedure 5(f)(1) and U.S. Supreme Court decisions including Brady v. Maryland, that the prosecutor has federal constitutional disclosure obligations in this case. The Court orders the government to comply with its Brady obligations. The parties are further advised




		that the government's failure to comply with its Brady obligations may result in sanctions, including, but not limited to, adverse jury instructions, dismissal of charges, and contempt proceedings. Local Criminal Rule 16.1(A) conference shall occur by 2/7/22. The parties' joint status report is due on or before 2/22/22. Time is excluded under the Speedy Trial Act through 2/24/22 to serve the ends of justice, without objection. Excluding time will allow the parties the reasonable time necessary to effectively prepare the case, which includes the production and review of discovery materials and for the defense to consider pretrial motions. Such delay outweighs the interests of the public and the defendant in a speedy trial. The government and defense agree on conditions of release. Enter Appearance Bond. Enter Order Setting Conditions of Release. Defendant shall be released after processing by the U.S. Marshal Service. Signed by the Honorable Manish S. Shah on 1/31/2022. Mailed notice (ph,) (Entered: 01/31/2022)
01/31/2022	 <u>23</u>	APPEARANCE Bond as to David Sargent in the amount of \$ 4,500.00. (ph,) (Entered: 01/31/2022)
01/31/2022	 <u>24</u>	ORDER Setting Conditions of Release as to David Sargent in amount of \$ 4,500.00, Own Recognizance Signed by the Honorable Manish S. Shah on 1/31/2022. Mailed notice (ph,) (Entered: 01/31/2022)
02/17/2022	<u>25</u>	MOTION by USA for protective order as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 02/17/2022)
02/18/2022	<u>26</u>	PROTECTIVE ORDER GOVERNING DISCOVERY. Signed by the Honorable Manish S. Shah on 2/18/22: The motion for protective order <u>25</u> is granted as to Christopher Klundt (1), David Sargent (2). Notices mailed. (psm,) (Entered: 02/18/2022)
02/22/2022	<u>27</u>	STATUS REPORT <i>Joint Status Report</i> by USA as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 02/22/2022)
02/23/2022	<u>28</u>	MINUTE entry before the Honorable Manish S. Shah: The parties shall file a joint status report stating the progress of the defense's discovery review and with a proposal for a deadline to file Fed. R. Crim. 12(b) motions. The status report is due 4/25/22. Time is excluded under the Speedy Trial Act, without objection, until 4/27/22. The delay is necessary to give the parties time for effective preparation, which includes defense discovery review, and outweighs the interests of the public and defendants in a speedy trial. Notices mailed. (psm,) (Entered: 02/23/2022)
02/25/2022	<u>29</u>	APPLICATION FOR ORDER TO DISCLOSE TAX RETURNS AND RETURN INFORMATION AT TRIAL by USA as to Christopher Klundt, David Sargent (Getter, Matthew) Modified on 2/28/2022 (rp,). (Entered: 02/25/2022)
02/28/2022	<u>30</u>	ORDER FOR DISCLOSURE OF TAX RETURNS AND RETURN INFORMATION AT TRIAL. Signed by the Honorable Manish S. Shah on 2/28/22: The motion for disclosure of tax returns <u>29</u> is granted as to Christopher Klundt (1), David Sargent (2). Notices mailed. (psm,) (Entered: 02/28/2022)
03/08/2022	<u>31</u>	ATTORNEY Appearance for defendant Christopher Klundt, David Sargent by Elizabeth Ann Winkowski (Winkowski, Elizabeth) (Entered: 03/08/2022)
04/07/2022	<u>33</u>	MOTION to withdraw as attorney as to David Sargent <i>Motion to Withdraw the Appearance of Anne L. Yonover as Co-Counsel for David Sargent</i> Anne L. Yonover (Yonover, Anne) (Entered: 04/07/2022)
04/25/2022	<u>34</u>	STATUS REPORT <i>Joint Status Report</i> by USA as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 04/25/2022)





04/26/2022	<u>35</u>	MINUTE entry before the Honorable Manish S. Shah: The parties shall file a joint updated status report on 6/22/22. Time is excluded under the Speedy Trial Act until 6/27/22, without objection, to serve the ends of justice. The delay is necessary to give the parties time for effective preparation, which includes review of voluminous discovery, and outweighs the interests of the public and defendants in a speedy trial. The motion to withdraw as attorney <u>33</u> is granted. Anne Louise Yonover is hereby withdrawn from the case. Notices mailed. (psm,) (Entered: 04/26/2022)
06/21/2022	<u>36</u>	STATUS REPORT <i>JOINT</i> by USA as to Christopher Klundt, David Sargent (Didwania, Vikas) (Entered: 06/21/2022)
06/24/2022	<u>37</u>	MINUTE entry before the Honorable Manish S. Shah: A telephone status hearing is set for 6/30/22 at 10:30 a.m. Time is excluded under the Speedy Trial Act until 6/30/22 to serve the ends of justice. The delay is necessary to give the parties time for effective preparation, which includes discovery review and consideration of potential pretrial motions, and outweighs the interests of the public and defendants in a speedy trial. Notices mailed. (psm,) (Entered: 06/24/2022)
06/30/2022	<u>38</u>	MINUTE entry before the Honorable Manish S. Shah: Members of the public, media, and parties to the case may listen/participate in the hearing on 6/30/22 by dialing 1-888-204-5984 and using access code 9146677. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Notices mailed. (psm,) (Entered: 06/30/2022)
06/30/2022	<u>39</u>	MINUTE entry before the Honorable Manish S. Shah: as to Christopher Klundt, David Sargent. Telephone status hearing held. The parties shall consult one another and email susan_mcclintic@ilnd.uscourts.gov with their trial availability for 2023. A joint status report is due 7/28/22. Defendant Sargent's oral motion for early return of trial subpoenas is granted without objection and is reciprocal. Any party receiving items pursuant to an early return of a trial subpoena shall promptly notify the other party and produce the received items to counsel of record (or make them available for inspection or copying). Time is excluded under the Speedy Trial Act until 8/1/22 to serve the ends of justice. The delay is necessary to give the parties time for effective preparation, which includes discussions regarding trial availability and scheduling trial, and outweighs the interests of the public and defendants in a speedy trial. Notices mailed. (psm,) (Entered: 06/30/2022)
07/01/2022	<u>40</u>	ATTORNEY Appearance for defendant David Sargent by Carly Alana Chocron (Chocron, Carly) (Entered: 07/01/2022)
07/14/2022	<u>41</u>	MINUTE entry before the Honorable Manish S. Shah: as to Christopher Klundt, David Sargent. Jury trial is set for 1/9/23 at 9:30 a.m. The court will reserve 6 business days for trial in this matter. Proposed jury instructions and consolidated motions in limine must be filed by 12/22/22. Proposed jury instructions, proposed jury selection questions, a list of names that may be mentioned at trial, and a statement of the case must also be emailed in Microsoft Word format to proposed_order_shah@ilnd.uscourts.gov on 12/22/22. Responses to motions in limine are due 12/29/22. The court will rule on the motions in limine at the final pretrial conference set for 1/5/23 at 1:30 p.m. The court excludes time through the trial date of 1/9/23 under the Speedy Trial Act to serve the ends of justice, without objection. Excluding time will allow the parties the reasonable time necessary for




		effective preparation of the case, which includes trial preparation. Such delay outweighs the interests of the public and the defendant in a speedy trial. No status report on 7/28/22 is necessary. The parties shall file a joint status report on 10/7/22 to report on any issues for the court or to request a status conference. Notices mailed. (psm,) (Entered: 07/14/2022)
10/07/2022	<u>42</u>	STATUS REPORT by USA as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 10/07/2022)
10/11/2022	<u>43</u>	MINUTE entry before the Honorable Manish S. Shah: The parties report that no status hearing is necessary before the pretrial conference. The trial schedule remains as set, and the parties should contact the courtroom deputy in the event they require an earlier hearing. Time remains excluded under the Speedy Trial Act until 1/9/23. Notices mailed. (psm,) (Entered: 10/11/2022)
11/18/2022	<u>44</u>	MOTION by Christopher Klundt for protective order as to Christopher Klundt, David Sargent <i>AGREED</i> (Attachments: # <u>1</u> Exhibit Exhibit A)(Campbell, Terence) (Entered: 11/18/2022)
11/21/2022	<u>45</u>	MINUTE entry before the Honorable Manish S. Shah: The motion for protective order <u>44</u> is granted as to Christopher Klundt (1), David Sargent (2). The parties must submit the proposed order to proposed_order_shah@ilnd.U.S.courts.gov. Notices mailed. (psm,) (Entered: 11/21/2022)
11/21/2022	<u>46</u>	SUPPLEMENTAL PROTECTIVE ORDER GOVERNING DISCOVERY as to Christopher Klundt, David Sargent. Signed by the Honorable Manish S. Shah on 11/21/22. Notices mailed. (psm,) (Entered: 11/21/2022)
12/19/2022	<u>47</u>	GOVERNMENT'S SANTIAGO PROFFER AND MOTION TO ADMIT OUT-OF-COURT STATEMENTS by USA as to Christopher Klundt, David Sargent (Didwania, Vikas) (Entered: 12/19/2022)
12/21/2022	<u>48</u>	PROPOSED Voir Dire by USA as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 12/21/2022)
12/21/2022	<u>49</u>	MOTION by David Sargent in limine (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Grohman, Christopher) (Entered: 12/21/2022)
12/22/2022	<u>50</u>	MOTION by USA in limine as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 12/22/2022)
12/22/2022	<u>51</u>	PROPOSED Jury Instructions by USA as to Christopher Klundt, David Sargent (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Getter, Matthew) (Entered: 12/22/2022)
12/22/2022	<u>52</u>	WITNESS List by USA as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 12/22/2022)
12/22/2022	<u>53</u>	GOVERNMENT'S PROPOSED STATEMENT OF THE CASE by USA as to Christopher Klundt, David Sargent (Getter, Matthew) (Entered: 12/22/2022)
12/22/2022	<u>54</u>	MOTION by Christopher Klundt in limine as to Christopher Klundt, David Sargent (Attachments: # <u>1</u> Exhibit Attachment A, # <u>2</u> Exhibit Attachment B, # <u>3</u> Exhibit Attachment C)(Campbell, Terence) (Entered: 12/22/2022)
12/22/2022	<u>55</u>	PROPOSED Jury Instructions by Christopher Klundt, David Sargent (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Campbell, Terence) (Entered: 12/22/2022)




12/29/2022	<u>56</u>	RESPONSE by USA as to Christopher Klundt, David Sargent regarding MOTION by David Sargent in limine <u>49</u> (Getter, Matthew) (Entered: 12/29/2022)
12/29/2022	<u>57</u>	NOTICE of of Joinder of Motion by Christopher Klundt as to Christopher Klundt, David Sargent regarding MOTION by David Sargent in limine <u>49</u> (Campbell, Terence) (Entered: 12/29/2022)
12/29/2022	<u>58</u>	RESPONSE by USA as to Christopher Klundt, David Sargent regarding MOTION by Christopher Klundt in limine as to Christopher Klundt, David Sargent <u>54</u> (Didwania, Vikas) (Entered: 12/29/2022)
12/29/2022	<u>60</u>	RESPONSE by David Sargent regarding MOTION by USA in limine as to Christopher Klundt, David Sargent <u>50</u> (Grohman, Christopher) (Entered: 12/29/2022)
12/29/2022	<u>61</u>	MOTION by David Sargent in limine <i>to Exclude Introduction of Defendant's Tax Returns</i> (Grohman, Christopher) (Entered: 12/29/2022)
01/03/2023	<u>64</u>	RESPONSE by USA as to Christopher Klundt, David Sargent regarding MOTION by David Sargent in limine <i>to Exclude Introduction of Defendant's Tax Returns</i> <u>61</u> (Getter, Matthew) (Entered: 01/03/2023)
01/05/2023	<u>65</u>	MINUTE entry before the Honorable Manish S. Shah: Final pretrial conference held. For the reasons stated in open court, defendant Klundt's motion to file a response to the government's Santiago proffer, <u>63</u> , is granted. The government's Santiago proffer and related motion to admit out-of-court statements pursuant to Fed. R. Evid. 801(d)(2)(E), <u>47</u> , is granted. The government's motions in limine Nos. 1-2, <u>50</u> , are granted. Defendant Klundt's motions in limine Nos. 1-2, <u>54</u> , are granted in part and denied in part as follows: no. 1 is denied; no. 2 is granted. Defendant Sargent's motions in limine, <u>49</u> , are granted in part and under advisement in part as follows: the motion to admit evidence of other trades is under advisement; the motion to exclude evidence of other uncharged insider trading is granted. Sargent's motion in limine to exclude evidence about his tax returns, <u>61</u> , is denied. Notices mailed. (psm,) (Entered: 01/05/2023)
01/05/2023	<u>66</u>	SUPPLEMENT by Christopher Klundt to motion in limine <u>49</u> - <i>Supplemental Authority</i> (Campbell, Terence) (Entered: 01/05/2023)
01/06/2023	<u>67</u>	ORDER. Signed by the Honorable Manish S. Shah on 1/6/23: The remainder of defendant Sargent's motion in limine <u>49</u> is granted in part. [For further detail see attached order.] Notices mailed. (psm,) (Entered: 01/06/2023)
01/08/2023	<u>68</u>	PROPOSED Jury Instructions by Christopher Klundt as to Christopher Klundt, David Sargent (Campbell, Terence) (Entered: 01/08/2023)
01/09/2023	<u>69</u>	ORDER as to Christopher Klundt, David Sargent: Voir dire held. Jury selected and jury trial begun. Opening statements given by the government and Defendant Klundt. Jury trial continued to 1/10/23 at 10:00 a.m. Signed by the Honorable Manish S. Shah on 1/9/2023. Mailed notice. (jg,) (Entered: 01/10/2023)
01/10/2023	<u>70</u>	MINUTE entry before the Honorable Manish S. Shah: Jury trial held. For the reasons stated in open court, defendants' motion for mistrial is denied. Juror excused and replaced by alternate juror for reasons stated on the record. Opening statement given by Defendant Sargent. Evidence entered and jury trial continued to 1/11/23 at 10:00 a.m. Notices mailed. (psm,) (Entered: 01/11/2023)
01/11/2023	<u>71</u>	MINUTE entry before the Honorable Manish S. Shah: Jury trial held. Evidence entered and jury trial continued to 1/12/23 at 10:00 a.m. Notices mailed. (psm,)


		(Entered: 01/12/2023)
01/12/2023	<u>72</u>	MINUTE entry before the Honorable Manish S. Shah: Jury trial held. Evidence entered. The government rests its case in chief. Defendants orally move for directed verdict. Those motions are taken under advisement. Jury trial continued to 1/13/23 at 10:00 a.m. Notices mailed. (psm,) (Entered: 01/12/2023)
01/13/2023	<u>75</u>	MINUTE entry before the Honorable Manish S. Shah: Jury trial held. Evidence entered. Jury trial continued to 1/17/23 at 10:00 a.m. Notices mailed. (psm,) (Entered: 01/17/2023)
01/16/2023	<u>73</u>	Position Paper as to 1348 Counts of Indictment by USA as to Christopher Klundt, David Sargent (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Getter, Matthew) (Entered: 01/16/2023)
01/16/2023	<u>74</u>	RESPONSE by David Sargent to miscellaneous other <u>73</u> (Chocron, Carly) (Entered: 01/16/2023)
01/17/2023	<u>76</u>	MINUTE entry before the Honorable Manish S. Shah: Jury trial held. Evidence entered. Defendants rest their case in chief. The government offers no rebuttal case. Defendants renew their Rule 29 motions for judgment of acquittal. The motions are taken under advisement. Jury instructions given. Government delivers closing arguments. Defendant Klundt delivers closing arguments. Jury trial continued to 1/18/23 at 10:00 a.m. for defendant Sargent's closing arguments and the government's rebuttal. Notices mailed. (psm,) (Entered: 01/17/2023)
01/18/2023	<u>77</u>	MINUTE entry before the Honorable Manish S. Shah: Jury trial held. Defendant Klundt delivers closing statements. Government makes rebuttal closing statement. Final jury instruction given. Jury begins deliberations. Jury trial continued to 1/19/23 for jury deliberations. Notices mailed. (psm,) (Entered: 01/19/2023)
01/19/2023	<u>78</u>	MINUTE entry before the Honorable Manish S. Shah: Jury deliberates and returns a verdict. The jury finds defendant Klundt not guilty on all Counts, 1, 2, 3, 4, 5, 6, and 7. Enter Judgment of Acquittal as to defendant Klundt. Defendant Klundt's Order Setting Conditions of Release and Appearance Bond are vacated. The jury finds defendant Sargent not guilty as to Count 1, and guilty as to Counts 2, 3, 4, 5, 6, and 7. Post-trial motions are due by 3/20/23. The government's response is due 5/1/23. Defendant's reply is due 5/15/23. The court will rule on defendant Sargent's post-trial motions via cm/ecf, and any further court dates or deadlines as to defendant Sargent will be set thereafter. Defendant Sargent's Order Setting Conditions of Release and Appearance Bond remain in place. Enter Jury Instructions. Enter Jury notes. Enter verdict forms. Notices mailed. (psm,) (Entered: 01/24/2023)
01/19/2023	<u>80</u>	JURY Instructions as to Christopher Klundt, David Sargent. (psm,) (Entered: 01/24/2023)
01/19/2023	<u>81</u>	JURY Notes as to Christopher Klundt, David Sargent. (psm,) (Entered: 01/24/2023)
01/19/2023	<u>83</u>	JURY Verdict as to David Sargent (2) guilty on Count 2-4,5-7David Sargent (2) not guilty on Count 1. Verdict form emailed to defendant's counsel of record as to David Sargent (RESTRICTED.) (sxh,) (Entered: 01/24/2023)
02/08/2023	 <u>84</u>	TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/09/2023, before the Honorable Manish S. Shah. Trial, Vol. 1, Pages 1-48. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.


		<p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>85</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/10/2023, before the Honorable Manish S. Shah. Trial, Vol. 2 AM, Pages 49-183. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>86</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/10/2023, before the Honorable Manish S. Shah. Trial, Vol. 2 PM, Pages 184-319. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>87</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/11/2023, before the Honorable Manish S. Shah. Trial, Vol. 3 AM, Pages 320-449. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p>

		Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)
02/08/2023	 <u>88</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/11/2023, before the Honorable Manish S. Shah. Trial, Vol. 3 PM, Pages 450-563. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>89</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/12/2023, before the Honorable Manish S. Shah. Trial, Vol. 4 AM, Pages 564-680. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>90</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/12/2023, before the Honorable Manish S. Shah. Trial, Vol. 4 PM, Pages 681-813. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>91</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/13/2023, before the Honorable Manish S. Shah. Trial, Vol. 5 AM, Pages 814-933. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p>

		<p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>92</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/13/2023, before the Honorable Manish S. Shah. Trial, Vol. 5 PM, Pages 934-1106. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>93</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/17/2023, before the Honorable Manish S. Shah. Trial, Vol. 6 AM, Pages 1107-1225. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>94</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/17/2023, before the Honorable Manish S. Shah. Trial, Vol. 6 PM, Pages 1226-1312. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p>

		Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)
02/08/2023	 <u>95</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/18/2023, before the Honorable Manish S. Shah. Trial, Vol. 7, Pages 1313-1384. Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/08/2023	 <u>96</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/19/2023, before the Honorable Manish S. Shah. Trial, Vol. 8, Pages 1385-1394 (Verdict). Order Number: 45036, 45042. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/1/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/9/2023. (Conway, Colleen) (Entered: 02/08/2023)</p>
02/09/2023	 <u>97</u>	<p>TRANSCRIPT OF PROCEEDINGS as to Christopher Klundt, David Sargent held on 01/05/2023, Final Pretrial Conference, before the Honorable Manish S. Shah. Order Number: 45068. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/2/2023. Redacted Transcript Deadline set for 3/13/2023. Release of Transcript Restriction set for 5/10/2023. (Conway, Colleen) (Entered: 02/09/2023)</p>
02/16/2023	<u>98</u>	MINUTE entry before the Honorable Manish S. Shah: as to David Sargent. A status hearing is set for 2/23/23 at 2:30 p.m. in Courtroom 1919. The briefing schedule on post-trial motions is modified at the parties' request as follows: post-

		trial motions are now due 2/23/23. The government's response is due 3/30/23. Defendant's reply is due 4/13/23. Notices mailed. (psm,) (Entered: 02/16/2023)
02/22/2023	<u>99</u>	MOTION by David Sargent for leave to file brief in excess of fifteen pages (Chocron, Carly) (Entered: 02/22/2023)
02/23/2023	<u>100</u>	MINUTE entry before the Honorable Manish S. Shah: as to David Sargent. Status hearing held. Defendant Sargent's motion for leave to file post-trial motions for judgment of acquittal or, in the alternative, for a new trial brief in excess of 15 pages <u>99</u> is granted. The briefing schedule on post-trial motions is modified as follows: post-trial motions are now due 3/9/2023. The government's response is due 4/13/2023. Defendant's reply is due 4/27/2023. Mailed notice. (jlj,) (Entered: 02/23/2023)
03/02/2023	<u>101</u>	MOTION by David Sargent for acquittal , MOTION by David Sargent for new trial (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Grohman, Christopher) (Entered: 03/02/2023)
03/06/2023	 <u>102</u>	<p>TRANSCRIPT OF PROCEEDINGS as to David Sargent held on 02/23/2023, before the Honorable Manish S. Shah. Order Number: 45302. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 3/27/2023. Redacted Transcript Deadline set for 4/6/2023. Release of Transcript Restriction set for 6/5/2023. (Conway, Colleen) (Entered: 03/06/2023)</p>
04/17/2023	<u>103</u>	MOTION by USA for extension of time as to David Sargent (Getter, Matthew) (Entered: 04/17/2023)
04/18/2023	<u>104</u>	MINUTE entry before the Honorable Manish S. Shah: The motion for extension of time <u>103</u> is granted. The government's response is now due 5/1/23; defendant's reply is due 5/15/23. Notices mailed. (psm,) (Entered: 04/18/2023)
05/01/2023	<u>105</u>	RESPONSE by USA as to David Sargent regarding MOTION by David Sargent for acquittal MOTION by David Sargent for new trial <u>101</u> (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B)(Getter, Matthew) (Entered: 05/01/2023)
05/01/2023	<u>106</u>	MOTION by USA for leave as to David Sargent <i>GOVERNMENT'S MOTION FOR LEAVE TO FILE MEMORANDUM OF LAW IN EXCESS OF 15 PAGES</i> (Getter, Matthew) (Entered: 05/01/2023)
05/02/2023	<u>107</u>	MINUTE entry before the Honorable Manish S. Shah. The motion for leave to file excess pages <u>106</u> is granted, and defendant has leave to use excess pages in reply. Mailed notice (lk,) (Entered: 05/02/2023)
05/11/2023	<u>108</u>	REPLY by David Sargent to MOTION by David Sargent for acquittal MOTION by David Sargent for new trial <u>101</u> <i>Defendant Sargent's Reply in Support of His Post-Trial Motions</i> (Chocron, Carly) (Entered: 05/11/2023)
11/05/2023	<u>109</u>	ATTORNEY Appearance for defendant David Sargent by Ryan J Levitt (Levitt, Ryan) (Entered: 11/05/2023)

12/11/2023	<u>110</u>	MINUTE entry before the Honorable Manish S. Shah: as to David Sargent. An in-person status hearing is set for 12/20/23 at 10:30 a.m. at which the court intends to make an oral ruling on the pot-trial motions. Notices mailed. (psm,) (Entered: 12/11/2023)
12/19/2023	<u>112</u>	JUDGMENT of Acquittal as to David Sargent Signed by the Honorable Manish S. Shah on 12/19/2023. Mailed notice (emc,) (Entered: 12/20/2023)
12/20/2023	<u>111</u>	ORDER as to David Sargent: For the reasons stated in open court, Defendant's post-trial motions for acquittal or new trial <u>101</u> are granted. Enter Judgment of Acquittal as to defendant Sargent. The Order Setting Conditions of Release <u>24</u> is vacated. Signed by the Honorable Manish S. Shah on 12/20/2023. Mailed notice (emc,) (Entered: 12/20/2023)
12/21/2023	 <u>113</u>	<p>TRANSCRIPT OF PROCEEDINGS as to David Sargent held on 12/20/2023, Oral Ruling, before the Honorable Manish S. Shah. Order Number: 47602, 47605, 47606. Court Reporter Contact Information: Colleen_Conway@ilnd.uscourts.gov or 312.435.5594.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 1/11/2024. Redacted Transcript Deadline set for 1/22/2024. Release of Transcript Restriction set for 3/20/2024. (Conway, Colleen) (Entered: 12/21/2023)</p>
01/17/2024	<u>114</u>	NOTICE OF APPEAL by USA as to David Sargent regarding order on motion for acquittal,,,, status hearing,, dismiss count(s),, js-3 closing information, <u>111</u> , judgment of acquittal <u>112</u> Receipt number: Y (Didwania, Vikas) (Entered: 01/17/2024)
01/17/2024	<u>115</u>	DOCKETING statement by USA as to David Sargent regarding notice of appeal <u>114</u> (Didwania, Vikas) (Entered: 01/17/2024)
01/23/2024	<u>116</u>	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal <u>114</u> . (jn,) (Entered: 01/23/2024)